

IN RE: PETITION FOR SPECIAL HEARING  
E/S Winding Way, 1195 ft. NE  
of c/l Silver Spring Road  
8650 Winding Way  
11th Election District  
5th Councilmanic District  
Richard Huffman, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-12-SPH

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 8650 Winding Way in the Perry Hall section of Baltimore County. The Petition is filed by Richard Huffman and Elizabeth Huffman, his wife, property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to approve an amendment to delete lot 2 from the special exception granted in case No. 82-289-X as amended or supplemented in case Nos. 87-329-SPH and 89-7-SPHA and 95-291-SPH to create a residential building lot outside the special exception area. The subject property and requested relief use is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Elizabeth Huffman, co-property owner. Also present was Herbert Malmud of H. Malmud and Associates, Inc., an engineering firm which prepared the site plan. The Petitioners were represented by Michael P. Tanczyn, Esquire. There were no interested persons or Protestants present.

The property is situated at the deadend of Winding Way, a residential street which leads from Silver Spring Road. Apparently, Mr. and Mrs. Huffman live on the site and have resided thereon for several years. In 1982, special exception approval was obtained by the Petitioners to operate a day care center on the facility. The operation has grown so that, at present, the site accommodates approximately 160 children. These

ORDER RECEIVED FOR FILING

Date

By

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children range in ages from 2 years to 11 years. The Petitioners also operate other day care facilities in the Baltimore-Metropolitan area. In all, the Petitioners accommodate nearly 600 children.

The site plan clearly depicts the day-care/nursery school area maintained by the Petitioners. In addition to this area, the Petitioners reside in a brick and frame bi-level dwelling immediately adjacent to a swimming pool on the property.

The Petitioners wish to subdivide their property so as to create a second building lot. This lot will be .783 acres in area and will contain a single family dwelling. It is envisioned that the Petitioners will occupy the new dwelling and that the existing house will be converted for the day-care facility. The new dwelling and lot, therefore, are located on the north side of the property.

The Petitioner requests a special hearing approval for this subdivision and to exclude the new lot from the area of the special exception. Also, the Petitioner notes that the last approved plan for the special exception need be amended to show an area of paved lot and athletic area as part of the special exception. These areas are shown on the site plan and are used in connection with the day-care operation.

Based upon the testimony and evidence offered, all of which was uncontradicted, it is clear that the Petition should be granted. The amendment to the site plan and subdivision of the property will not cause detriment to the health, safety or general welfare of the locale. It is of note that, notwithstanding this large operation, no Protestants or other interested persons from the surrounding community appeared. Mr. Tanczyn proffered that the Petitioners' operation was an exemplary day care center in Maryland. For these reasons, I will approve the Petition for Special Hearing, subject, however, to the Petitioners' compliance with the minor subdivision process in Baltimore County.

ORDER RECEIVED FOR FILING

Date

By

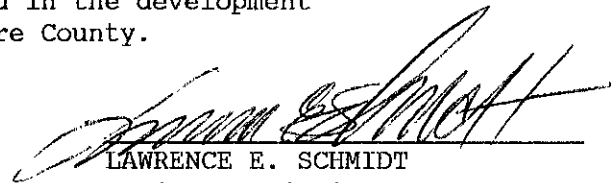
MICROFILMED

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of August, 1996 that, pursuant to the Petition for Special Hearing, approval of an amendment to delete lot 2 from the special exception granted in case No. 82-289-X, as amended or supplemented in case Nos. 87-329-SPH and 89-7-SPHA and 95-291-SPH to create a residential building lot outside the special exception area, pursuant to Section 500.7 of the BCZR, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners are subject to all requirements of the development process (minor subdivision) as codified in the development regulations for Baltimore County.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING  
Date 8/14/96  
By [Signature]

MICROFILMED

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

August 13, 1996

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 97-12-SPH  
Property: 8650 Winding Way  
Richard Huffman, et ux, Petitioners

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
encl.

c: Mr. and Mrs. Richard Huffman

MICROFILMED



# 11



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

8650 Winding Way

which is presently zoned DR 5.5

97-12-SPH

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve an amendment to delete Lot 2 from the Special Exception granted in Case 82-289-X as amended or supplemented in Case 87-329-SPH and Case 89-7-SPHA and Case 95-291-SPH to create a residential building lot outside the Special Exception area.

Further, to amend the site plan to show the addition of multi-purpose athletic area and overflow multi-purpose parking for the daycare facility portion of the property as is more particularly described and illustrated on the plat to accompany this Petition.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

MICHAEL P. TANCZYN, ESQ.

(Type or Print Name)

Signature

606 Baltimore Avenue, Suite 106

Address

Phone No.

Towson, MD 21204

296-8823

City

State

Zipcode

Legal Owner(s):

RICHARD HUFFMAN

(Type or Print Name)

Signature

ELIZABETH HUFFMAN

(Type or Print Name)

Signature

8650 Winding Way

Address

Phone No.

Perry Hall, MD 21128

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL ☒ OTHER ☐

REVIEWED BY: WJL

DATE

7/1/96

MICROFILMED



Zoning Administration

Development Management

H. MALMUD & ASSOCIATES, INC.  
100 CHURCH LANE  
BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

97-12-SPH

ZONING DESCRIPTION FOR SPECIAL HEARING  
WHITE MARSH DAY CARE CENTER  
8950 WINDING WAY  
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME ON THE NORTHEAST SIDE OF WINDING WAY, 40 FEET WIDE AT A POINT DISTANT 1,195 FEET, MORE OR LESS MEASURED ON THE NORTH AND NORTHEAST SIDE OF WINDING WAY NORTHWEST FROM THE CENTERLINE OF SILVER SPRING ROAD, THENCE LEAVING SAID PLACE OF BEGINNING AND RUNNING THE TWO (2) FOLLOWING COURSES AND DISTANCES:

(1) NORTH 31 34' 06" EAST 309.92 FEET,  
(2) SOUTH 15 11' 51" EAST 589.47 FEET TO THE NORTHWEST RIGHT OF WAY LINE OF THE JOHN F. KENNEDY MEMORIAL HIGHWAY, THENCE BINDING THEREON THE TWO (2) FOLLOWING COURSES AND DISTANCES:

(3) SOUTH 42 57' 59" WEST 220.03 FEET,  
(4) SOUTH 39 16' 49" WEST 166.91 FEET, THENCE LEAVING SAID HIGHWAY AND RUNNING THE FOUR (4) FOLLOWING COURSES AND DISTANCES:

(5) NORTH 45 24' 41" WEST 175.30 FEET,  
(6) SOUTH 87 12' 19" WEST 45.20 FEET,  
(7) NORTH 10 11' 51" WEST 302.79 FEET,  
(8) NORTH 75 52' 09" EAST 227.48 FEET TO THE SAID NORTHEAST SIDE OF WINDING WAY, THENCE BINDING THEREON THE TWO (2) FOLLOWING COURSES AND DISTANCES:

(9) NORTH 15 11' 51" WEST 60.15 FEET,  
(10) BY A CURVE TO THE LEFT WITH A RADIUS OF 110.00 FEET, AN ARC LENGTH OF 77.12 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 34 06' 47" WEST 75.55 FEET TO THE PLACE OF BEGINNING.

CONTAINING 4.76 ACRES OF LAND, MORE OR LESS.

#11

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

MICROFILMED

HERBERT MALMUD  
REGISTERED LAND SURVEYOR  
MARYLAND # 7558  
JUNE 10, 1996



FILE: DESWMDC

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY** 97-12-SPH  
Towson, Maryland

District: 11th

Posted for: Special Hearing

Date of Posting: 7/24/96

Petitioner: Richard L. Elin Hoffman

Location of property: 8050 Whiting Way, ELS

Location of Sign: Feet, road way on property being zoned

Remarks: \_\_\_\_\_

Posted by: \_\_\_\_\_

Signature

Date of return: 7/26/96

Number of Signs: 1

MICROFILMED

**NOTICE OF HEARING**

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 118 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Westinghouse Avenue, Towson, Maryland 21204 as follows:

Case #97-72-SPH  
(Item 11)  
8650 Winding Way,  
ES Winding Way, 1195  
NE of Silver Spring Road  
11th Election District  
5th Councilmanic

Legal Owner(s):  
Richard Hoffman and  
Elizabeth Hoffman

Special Hearing: to approve amendment to delete Lot 2 from the special exception granted in case #92-289-X as amended or supplement in case #87-329-SPH and case #89-7-SPHA and Case #95-291-SPH to create a residential building lot outside the special exception area.  
Hearing: Friday, August 9, 1996 at 9:00 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations  
Please Call 887-3353.  
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

7/26/96 July 25 0388946

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 7/25, 19 96

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/25, 19 96.

**THE JEFFERSONIAN,**

*A. H. Enickson*  
LEGAL AD. - TOWSON

*7/26/96*



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FIN. & REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 0225006

97-12-SPH

DATE 7/9/96

ACCOUNT 01-615

By: JH/K

John: 11

AMOUNT \$ 285.00

RECEIVED FROM: Tawczyn, Michael & Michael, Inc. - 8750 Winding Way

040 Comm. Sp. Hwy - \$250.00

050 - 1 sign post - \$35.00

\$285.00

FOR:

CSPH  
+ SIGN

MICROFILMED

05/17/03 JG/TG/RH

BA 6002-35PMD7-07-96

\$285.00

DISTRIBUTION  
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 11 Petitioner: Richard Hultman

Location: 8650 Winding Way

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael Tanczyn

ADDRESS: 606 Baltimore Ave, Suite 106

Towson MD 21204

PHONE NUMBER: 296-8823

**MICROFILMED**



TO: PUTUXENT PUBLISHING COMPANY  
July 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn, Esq.  
606 Baltimore Avenue, #106  
Towson, Maryland 21204  
296-8823

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-12-SPH (Item 11)  
8650 Winding Way  
E/S Winding Way, 1195' NE of c/l Silver Spring Road  
11th Election District - 5th Councilmanic  
Legal Owner: Richard Huffman and Elizabeth Huffman

Special Hearing to approve amendment to delete Lot 2 from the special exception granted in case #82-289-X as amended or supplement in case #87-329-SPH and case #89-7-SPHA and case #95-291-SPH to create a residential building lot outside the special exception area.

HEARING: FRIDAY, AUGUST 9, 1996 at 9:00 a.m. in Room 106, County Office Building

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 18, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-12-SPH (Item 11)  
8650 Winding Way  
E/S Winding Way, 1195' NE of c/l Silver Spring Road  
11th Election District - 5th Councilmanic  
Legal Owner: Richard Huffman and Elizabeth Huffman

Special Hearing to approve amendment to delete Lot 2 from the special exception granted in case #82-289-X as amended or supplement in case #87-329-SPH and case #89-7-SPHA and case #95-291-SPH to create a residential building lot outside the special exception area.

HEARING: FRIDAY, AUGUST 9, 1996 at 9:00 a.m. in Room 106, County Office Building

Arnold Jablon  
Director

cc: Richard and Elizabeth Huffman  
Michael P. Tancyn, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 5, 1996

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, MD 21204

RE: Item No.: 11  
Case No.: 97-12-SPH  
Petitioner: Richard Huffman, et ux

Dear Mr. Tanczyn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "Carl Richards, Jr.", is written over a circular official stamp. The stamp is partially obscured by the signature.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

RECEIVED





# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

*[Signature]*  
DIRECTOR

*[Signature]*  
BUILDINGS ENGINEER

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Permits and Development  
Management

**DATE:** July 19, 1996

**FROM:** Pat Keller, Director  
Office of Planning

**SUBJECT:** Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 10, 11, 12, 13, 15, and 16

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Daryl L. Keen*

PK/JL

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Project Managers  
Team Leaders

DATE: January 31, 1994

FROM: Arnold Jablon

RE: Red-lined Development Plans

Recently there have been discussions between the project managers and the various departments about development plans that have been red-lined following the development plan conference. The importance of this issue has been underscored by a recent decision issued by the zoning commissioner.

This red-lining has caused confusion and, in some cases, has not been in strict compliance with our written procedures.

Effective immediately, the following procedures will be implemented.

The development conference will be scheduled no less than 15 days prior to the hearing officer's hearing, rather than the 10 days presently being done.

The conference will continue to be a dialog between county agencies and the developer, at which resolution of all issues will be attempted. Obviously, there will be projects discussed for which such resolution will not occur. A developer, as a result of this conference, may wish to prepare a "red-lined" plan which would reflect resolution on comments made by either county agencies or communities which are effected by the proposed project. This may be submitted, but such changes to the previously submitted development plan must only be as a result of comments received by the developer either at or before the conference, not after the conference.

The developer must submit this "red-lined" plan within 5 days after the conference to the project manager, who will transmit copies to all relevant agencies. The developer will transmit copies to the "contact" people of the effected communities. The agencies will then have 5 days to review the plan to insure that any changes were a reflection of its comments given at the conference. The agencies' reactions will be provided to the project manager at least 5 days before the hearing, and will be included, with the "red-lined" plan, in





**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

7-19-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 011 (MTK)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*for* *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

MICROFILMED

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 07/23/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: RICHARD HUFFMAN & ELIZABETH HUFFMAN

Location: E/S WINDING WAY, 1195' NE OF CENTERLINE SILVER SPRING RD.  
( 8650 WINDING WAY )

Item No.: 011

Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:        Arnold Jablon, Director  
            Department of Permits & Development  
            Management

Date:    July 22, 1996

FROM:      Robert W. Bowling, Chief  
            Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
            for July 22, 1996  
            Item No. 011

The Development Plans Review Division has reviewed the subject zoning item. If the amendment is approved, the site will be subject to Baltimore County Development Regulations adopted February, 1992.

RWB:HJO:jrb

cc:    File

ZONE19A

MICROFILMED

# PETITION PROBLEMS

## **#10 --- JCM**

1. No fee was charged for special hearing to amend the final development plan.

## **#11 --- MJK**

1. No telephone number for legal owner.

## **#12 --- MJK**

1. Petitioner's copy of receipt still in folder.

## **#13 --- MJK**

1. No undersized lot information in folder.

## **#14 --- MJK**

1. No undersized lot information in folder.

## **#16 --- JRA**

1. No review information on bottom of petition form.
2. No item number on any papers in folder.
3. Who signed for contract purchaser? - Need authorization.

MICROFILMED July 16, 1996

RE: PETITION FOR SPECIAL HEARING  
8650 Winding Way, E/S Winding Way,  
1195' NE of c/l Silver Spring Road,  
11th Election District, 5th Councilmanic

Richard and Elizabeth Huffman  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 97-12-SPH

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5<sup>th</sup> day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

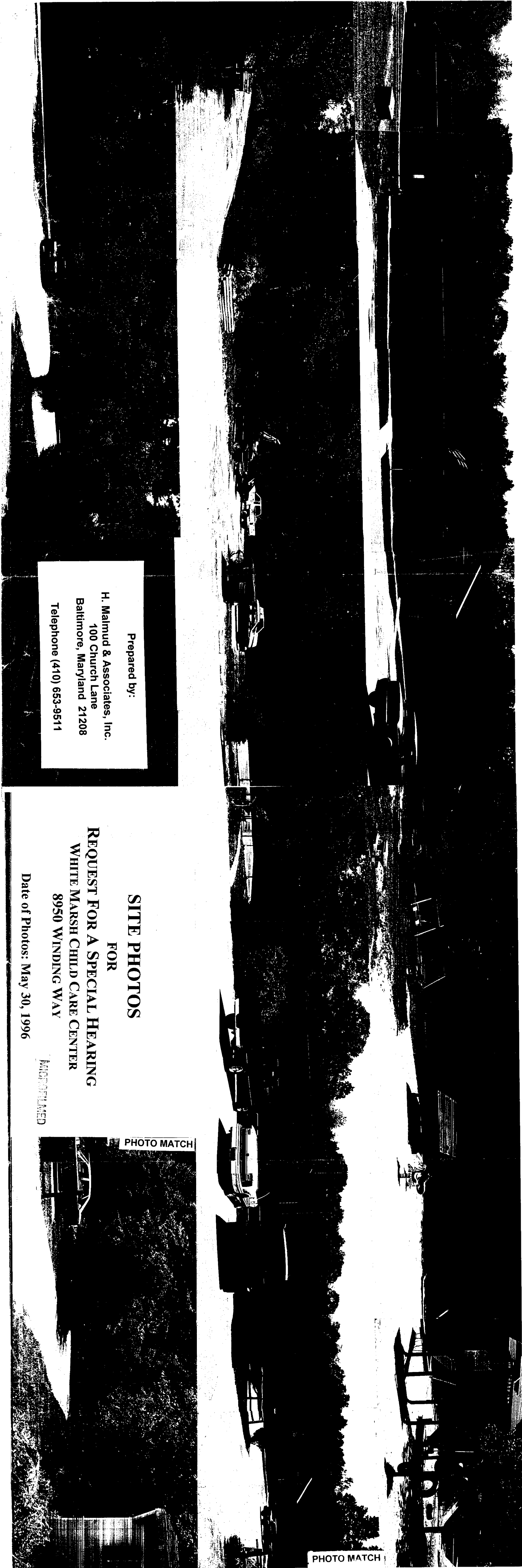
MICROFILMED

*P. Steiner*  
**PROTESTANT (S) SIGN-IN SHEET**

### ADDRESS

ADDRESS Perry Hall  
8650 Winding Way Md 21128  
100 CHURCH LANE PIKEVILLE 21208  
56104 606 BALTIMORE TOWSON MD 21204

MICROFILMED)



Prepared by:  
H. Mainud & Associates, Inc.  
100 Church Lane  
Baltimore, Maryland 21208  
Telephone (410) 653-9511

SITE PHOTOS  
FOR  
REQUEST FOR A SPECIAL HEARING  
WHITE MARSH CHILD CARE CENTER  
8950 WINDING WAY  
Date of Photos: May 30, 1996



PHOTO MATCH

PHOTO MATCH



# NOTES

1. PETITIONER & OWNER: RICHARD O. HUFFMAN, JR., ET UX  
DEED REFERENCE: LIBER 5686, FOLIO 951  
TAX MAP 72C, GRID 23, PARCEL 1111  
ACCOUNT NO. 11-160000028C

2. EXISTING ZONING: D.R. 5.5

3. EXISTING USE: DAY CARE CENTER/NURSERY SCHOOL WITH ON SITE RESIDENCE AND AS A SHARED CHURCH USE  
ZONING HEARING: GRANTED A SPECIAL EXCEPTION FOR DAY CARE CENTER AND NURSERY SCHOOL USE ON SEPTEMBER 21, 1987. CASE NO. 87-325-SPH TO EXPAND IN CASE NO. 87-325-SPH ON FEBRUARY 13, 1987. C. AMEND 82-285-X AND 87-325-SPH IN CASE NO. 88-7-SPH TO PERMIT A CHURCH TO SHARE DAY CARE/NURSERY SCHOOL FACILITIES. DENIED NOVEMBER 15, 1988 AND OVERTURNED BY BOARD OF APPEALS ON SEPTEMBER 7, 1989. D. AMEND AND EXPAND PREVIOUSLY APPROVED SPECIAL EXCEPTIONS AND SITE PLANS IN PRIOR CASES 82-285-X, 87-325-SPH AND 89-7-SPH TO EXPAND IN CASE.

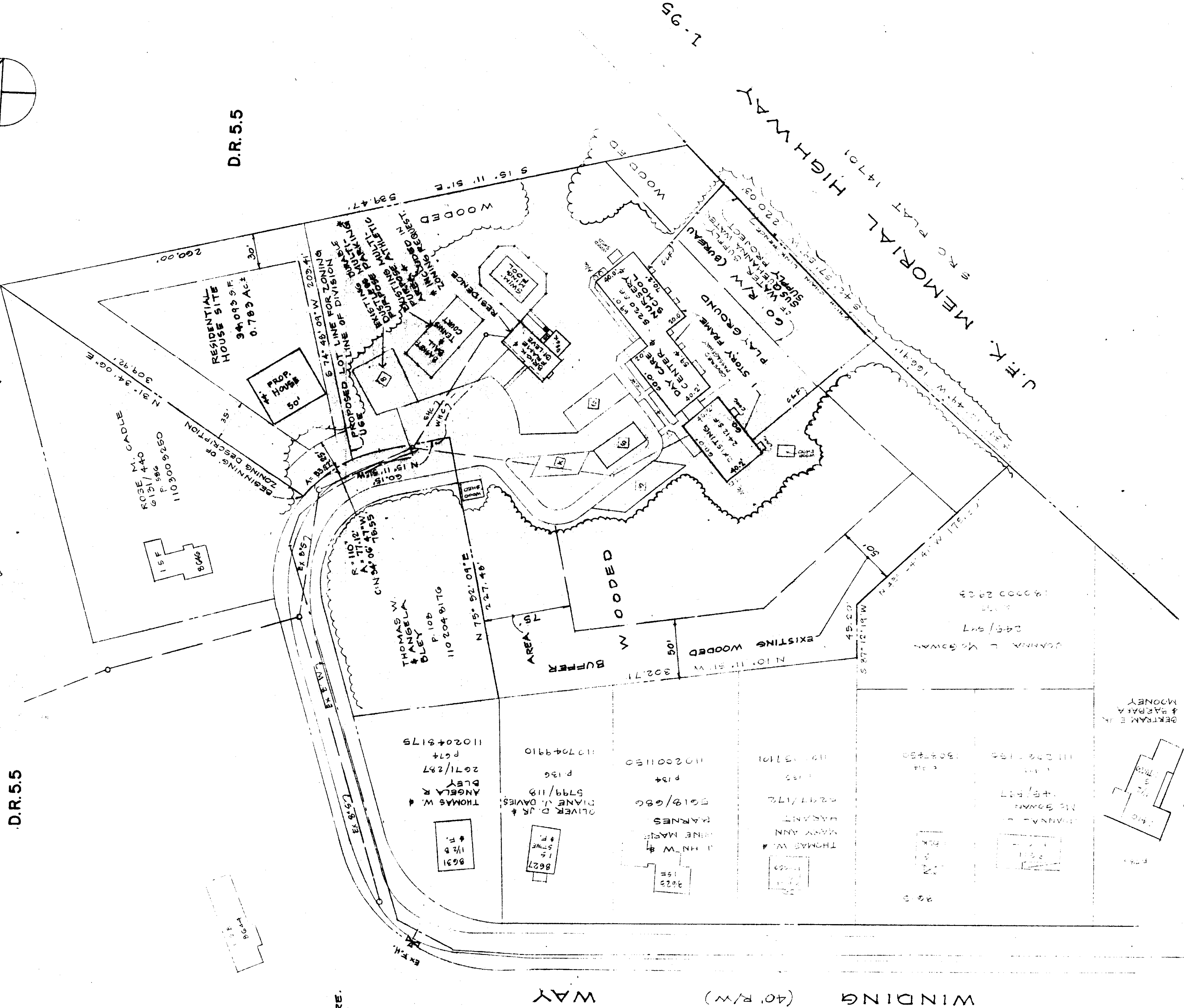
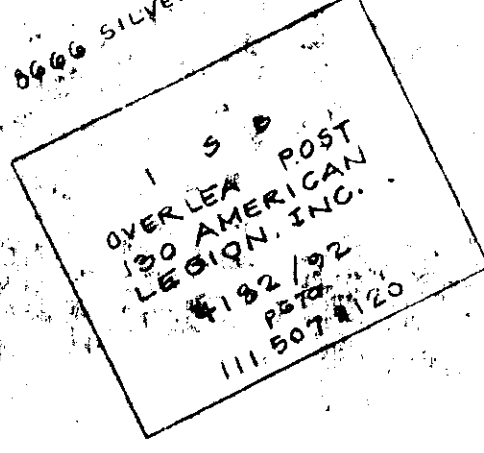
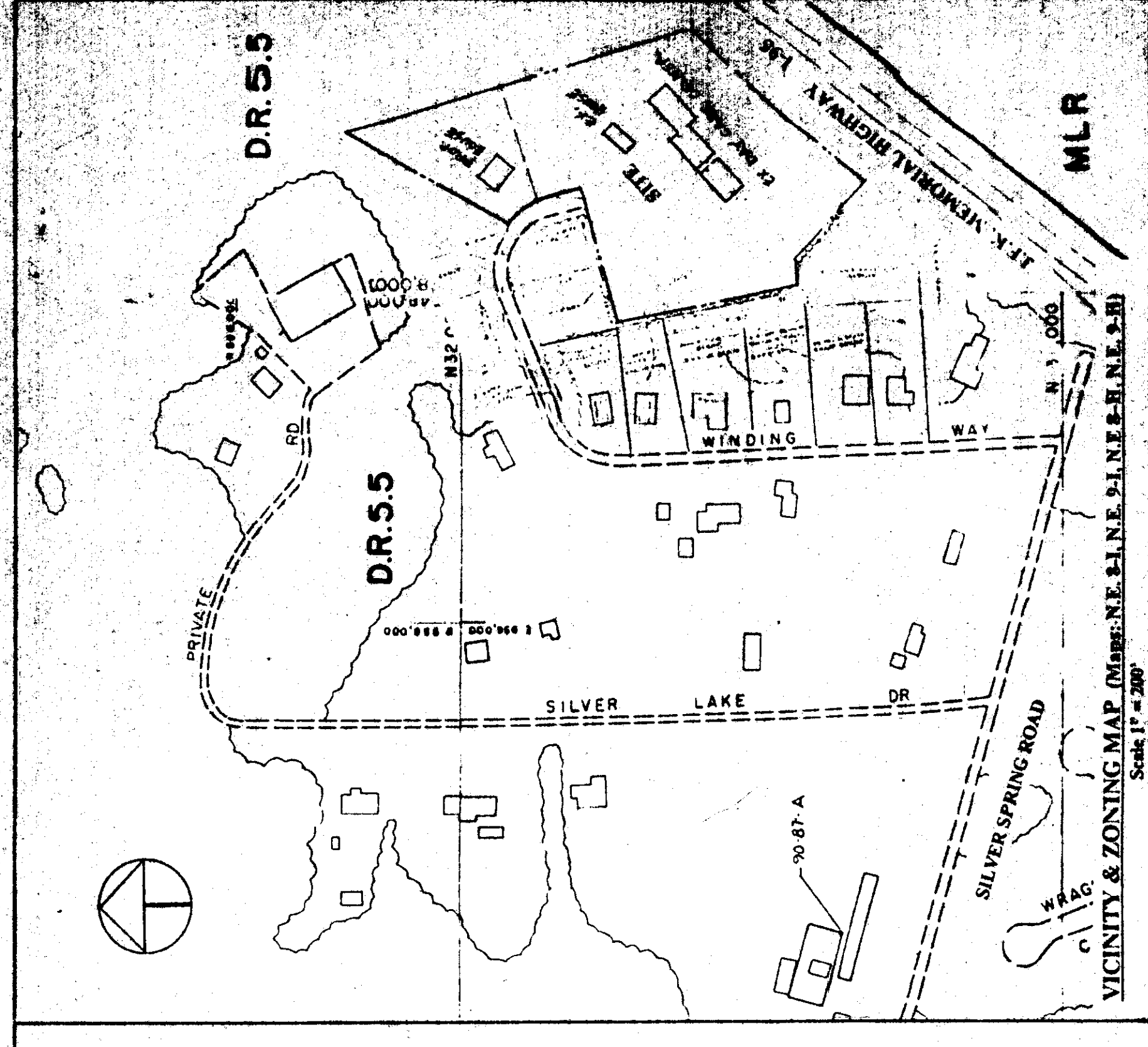
4. THE PURPOSE OF THIS REQUEST IS TO ADD A NEW SINGLE FAMILY RESIDENCE FOR OWNER AND TO INCLUDE THE RECREATIONAL FACILITIES AND ADDITIONAL PARKING AND TO AMEND THE SPECIAL EXCEPTIONS PREVIOUSLY GRANTED.

5. TOTAL AREA OF PROPERTY: 4.7 ACRES +/-

6. PARKING SHOWN AS PER ZONING HEARING GRANTED (SEE NOTE 3)

7. PUBLIC WATER AND SEWER SERVES THIS SITE.

8. MINIMUM LOT SITE FOR 160 CHILDREN:  
1 ACRES FOR 40 CHILDREN PLUS 500 S.F. OVER 40 PER CHILD;  
160 MINUS 40 = 120 X 500 = 60,000 S.F.  
OR 1.4 AC. 1.0 = TOTAL REQUIRED: 2.4 ACRES.  
REMAINDER: 2.3 ACRES, PROPOSED HOUSE SITE: 0.8 ACRE.



PLAT #1

# 97-12-SPH #11

PLAT TO ACCOMPANY A  
REQUEST FOR A SPECIAL HEARING  
WHITE MARSH CHILD CARE CENTER  
8950 WINDING WAY  
ELECTION DISTRICT NO. 11  
COUNCILMANIC DISTRICT NO. 5  
BALTIMORE COUNTY, MARYLAND

Scale 1" = 50' June 10, 1996

MICROFILMED



Prepared by  
H. McInnis & Associates, Inc.  
100 Chesapeake Road  
Baltimore, Maryland 21208  
Telephone (410) 653-9511

2609

THE INFORMATION SHOWN HEREON WAS BASED ON PLANS PREPARED BY  
EVANS, HAGAN AND HOLDREY, INC. AND JOHN L. SCHNEIDER  
REGISTERED PROFESSIONAL SURVEYORS  
PROPERTY SHOWN HEREON IS SUBJECT TO ANY AND ALL AGREEMENTS,  
EASEMENTS, RIGHTS OF WAY AND/OR COVENANTS OF RECORD AND LAW



IN RE: PETITION FOR SPECIAL HEARING  
E/S Winding Way, 1195 ft. NE  
of c/1 Silver Spring Road  
8650 Winding Way  
11th Election District  
5th Councilmanic District  
Richard Huffman, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 97-12-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 8650 Winding Way in the Perry Hall section of Baltimore County. The Petition is filed by Richard Huffman and Elizabeth Huffman, his wife, property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to approve an amendment to delete lot 2 from the special exception granted in case No. 82-289-X as amended or supplemented in case Nos. 87-329-SPH and 89-7-SPHA and 95-291-SPH to create a residential building lot outside the special exception area. The subject property and requested relief use is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Elizabeth Huffman, co-property owner. Also present was Herbert Malmud of H. Malmud and Associates, Inc., an engineering firm which prepared the site plan. The Petitioners were represented by Michael P. Tanczyn, Esquire. There were no interested persons or Protestants present.

The property is situated at the deadend of Winding Way, a residential street which leads from Silver Spring Road. Apparently, Mr. and Mrs. Huffman live on the site and have resided thereon for several years. In 1982, special exception approval was obtained by the Petitioners to operate a day care center on the facility. The operation has grown so that, at present, the site accommodates approximately 160 children. These

children range in ages from 2 years to 11 years. The Petitioners also operate other day care facilities in the Baltimore-Metropolitan area. In all, the Petitioners accommodate nearly 600 children.

The site plan clearly depicts the day-care/nursery school area maintained by the Petitioners. In addition to this area, the Petitioners reside in a brick and frame bi-level dwelling immediately adjacent to a swimming pool on the property.

The Petitioners wish to subdivide their property so as to create a second building lot. This lot will be .783 acres in area and will contain a single family dwelling. It is envisioned that the Petitioners will occupy the new dwelling and that the existing house will be converted for the day-care facility. The new dwelling and lot, therefore, are located on the north side of the property.

The Petitioner requests a special hearing approval for this subdivision and to exclude the new lot from the area of the special exception. Also, the Petitioner notes that the last approved plan for the special exception need be amended to show an area of paved lot and athletic area as part of the special exception. These areas are shown on the site plan and are used in connection with the day-care operation.

Based upon the testimony and evidence offered, all of which was uncontradicted, it is clear that the Petition should be granted. The amendment to the site plan and subdivision of the property will not cause detriment to the health, safety or general welfare of the locale. It is of note that, notwithstanding this large operation, no Protestants or other interested persons from the surrounding community appeared. Mr. Tanczyn proffered that the Petitioners' operation was an exemplary day care center in Maryland. For these reasons, I will approve the Petition for Special Hearing, subject, however, to the Petitioners' compliance with the minor subdivision process in Baltimore County.

- 2 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 14th day of August, 1996 that, pursuant to the Petition for Special Hearing, approval of an amendment to delete lot 2 from the special exception granted in case No. 82-289-X, as amended or supplemented in case Nos. 87-329-SPH and 89-7-SPHA and 95-291-SPH to create a residential building lot outside the special exception area, pursuant to Section 500.7 of the BCZR, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners are subject to all requirements of the development process (minor subdivision) as codified in the development regulations for Baltimore County.

LES:mmm

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

August 13, 1996

(410) 887-4386

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, Maryland 21204

RE: Petition for Special Hearing  
Case No. 97-12-SPH  
Property: 8650 Winding Way  
Richard Huffman, et ux, Petitioners

Dear Mr. Tanczyn:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

encl.  
c: Mr. and Mrs. Richard Huffman

Printed with Soybean Ink  
on Recycled Paper



## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 8650 Winding Way  
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to consider and make a decision on the proposed amendment to delete Lot 2 from the Special Exception granted in Case 82-289-X as amended or supplemented in Case 87-329-SPH and Case 89-7-SPHA and Case 95-291-SPH to create a residential building lot outside the Special Exception area.

Further, to amend the site plan to show the addition of multi-purpose athletic area and overflow multi-purpose parking for the daycare facility portion of the property as is more particularly described and illustrated on the plat to accompany this Petition.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Owner

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

Signature

Address

City State Zipcode

Phone No.

City State Zipcode

Legal Owner(s)

Signature

Address

City State Zipcode

Phone No.

City State Zipcode

Phone No.

City State Zipcode

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Phone No.

City State Zipcode

H. MALMUD & ASSOCIATES, INC.  
100 CHURCH LANE  
BALTIMORE, MARYLAND 21208

TELEPHONE (410) 653-9511

ZONING DESCRIPTION FOR SPECIAL HEARING  
WHITE MARSH DAY CARE CENTER  
8950 WINDING WAY  
BALTIMORE COUNTY, MARYLAND

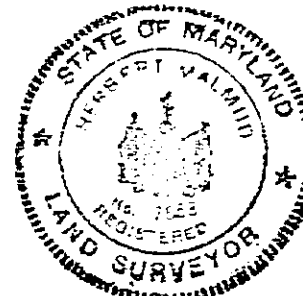
BEGINNING FOR THE SAME ON THE NORTHEAST SIDE OF WINDING WAY, 40 FEET WIDE AT A POINT DISTANT 1,195 FEET, MORE OR LESS MEASURED ON THE NORTH AND NORTHEAST SIDE OF WINDING WAY NORTHWEST FROM THE CENTERLINE OF SILVER SPRING ROAD, THENCE LEAVING SAID PLACE OF BEGINNING AND RUNNING THE TWO (2) FOLLOWING COURSES AND DISTANCES:

- (1) NORTH 31 34' 06" EAST 309.92 FEET,
- (2) SOUTH 15 11' 51" EAST 589.47 FEET TO THE NORTHWEST RIGHT OF WAY LINE OF THE JOHN F. KENNEDY MEMORIAL HIGHWAY, THENCE BINDING THEREON THE TWO (2) FOLLOWING COURSES AND DISTANCES:
- (3) SOUTH 42 57' 59" WEST 220.03 FEET,
- (4) SOUTH 39 16' 49" WEST 166.91 FEET, THENCE LEAVING SAID HIGHWAY AND RUNNING THE FOUR (4) FOLLOWING COURSES AND DISTANCES:
- (5) NORTH 45 24' 41" WEST 175.30 FEET,
- (6) SOUTH 87 12' 19" WEST 45.20 FEET,
- (7) NORTH 10 11' 51" WEST 302.79 FEET,
- (8) NORTH 75 52' 09" EAST 227.48 FEET TO THE SAID NORTHEAST SIDE OF WINDING WAY, THENCE BINDING THEREON THE TWO (2) FOLLOWING COURSES AND DISTANCES:
- (9) NORTH 15 11' 51" WEST 60.15 FEET,
- (10) BY A CURVE TO THE LEFT WITH A RADIUS OF 110.00 FEET, AN ARC LENGTH OF 77.12 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 34 06' 47" WEST 75.55 FEET TO THE PLACE OF BEGINNING.

CONTAINING 4.76 ACRES OF LAND, MORE OR LESS.

THIS DESCRIPTION IS FOR ZONING PURPOSES ONLY AND NOT FOR THE CONVEYANCE OF TITLE.

HERBERT MALMUD  
REGISTERED LAND SURVEYOR  
MARYLAND #7538  
JUNE 10, 1996



FILE: DESWMDC

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY 97-12-SPH  
Towson, Maryland

District: 11th Date of Posting: 7/24/96

Posted for: Special Hearing

Petitioner: Richard & Elizabeth Huffman

Location of property: 8650 Winding Way, E/S

Location of Sign: 8650 Winding Way, on property boundary

Remarks:

Posted by: [Signature] Date of return: 7/24/96

Number of Signs: 1

#### NOTICE OF HEARING

The Zoning Commission of Baltimore County, in accordance with the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed amendment to delete Lot 2 from the Special Exception granted in Case 82-289-X as amended or supplemented in Case 87-329-SPH and Case 89-7-SPHA and Case 95-291-SPH to create a residential building lot outside the Special Exception area, on August 8, 1996 at 5:00 p.m. at the County Office Building, 400 Washington Avenue, Towson, Maryland 21204.

Case 97-12-SPH  
Item 11  
8650 Winding Way  
Towson, MD 21204  
Zoning District  
DR 5.5  
Legal Owner(s):  
Richard Huffman and  
Elizabeth Huffman

Special Hearing: to consider and make a decision on the proposed amendment to delete Lot 2 from the Special Exception granted in Case 82-289-X as amended or supplemented in Case 87-329-SPH and Case 89-7-SPHA and Case 95-291-SPH to create a residential building lot outside the Special Exception area.

Hearing: Friday, August 8, 1996 at 5:00 p.m. at the County Office Building, 400 Washington Avenue, Towson, Maryland 21204.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are held on Wednesdays. (2) For information concerning the hearing, please call 887-3353.

7/28/96 July 28 1996

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/25, 1996.

THE JEFFERSONIAN,

A. Henrickson  
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE: 7/1/96 ACCOUNT: 01-615

AMOUNT: \$ 285.00

RECEIVED FROM: Towson, Md. 8750 Winding Way

FOR: 01-615 Cash - 8750 Winding Way

FOR: 01-615 Cash - 8750 Winding Way

FOR: 01-615 Cash - 8750 Winding Way

FOR: 01-615 Cash - 8750 Winding Way

FOR: 01-615 Cash - 8750 Winding Way

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FOR: 01-615 Cash - 8750 Winding Way





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

#### PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 11 Petitioner: Richard C. Huffman

Location: 8650 Winding Way

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Michael P. Tanczyn

ADDRESS: 606 Baltimore Ave, Suite 106

Towson, MD 21204

PHONE NUMBER: 296-8829

Printed with Soybean Ink  
on Recycled Paper

12

TO: FUTURE PUBLISHING COMPANY  
July 25, 1996 Issue - Jeffersonian

Please forward billing to:

Michael Tanczyn, Esq.  
606 Baltimore Avenue, #106  
Towson, Maryland 21204  
296-8823

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-12-SPH (Item 11)

8650 Winding Way  
E/S Winding Way, 1195' NE of c/l Silver Spring Road  
11th Election District - 5th Councilmanic  
Legal Owner: Richard Huffman and Elizabeth Huffman

Special Hearing to approve amendment to delete Lot 2 from the special exception granted in case #82-289-I as amended or supplement in case #87-329-SPH and case #89-7-SPH and case #95-291-SPH to create a residential building lot outside the special exception area.

HEARING: FRIDAY, AUGUST 9, 1996 at 9:00 a.m. in Room 106, County Office Building

LAWRENCE E. SCHMITZ  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

July 18, 1996

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-12-SPH (Item 11)

8650 Winding Way  
E/S Winding Way, 1195' NE of c/l Silver Spring Road  
11th Election District - 5th Councilmanic  
Legal Owner: Richard Huffman and Elizabeth Huffman

Special Hearing to approve amendment to delete Lot 2 from the special exception granted in case #82-289-I as amended or supplement in case #87-329-SPH and case #89-7-SPH and case #95-291-SPH to create a residential building lot outside the special exception area.

HEARING: FRIDAY, AUGUST 9, 1996 at 9:00 a.m. in Room 106, County Office Building

Arnold Jablon  
Director

cc: Richard and Elizabeth Huffman  
Michael P. Tanczyn, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

August 5, 1996

Michael P. Tanczyn, Esquire  
606 Baltimore Avenue, Suite 106  
Towson, MD 21204

RE: Item No.: 11  
Case No.: 97-12-SPH  
Petitioner: Richard Huffman, et ux

Dear Mr. Tanczyn:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 9, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)

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on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management  
DATE: July 19, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 10, 11, 12, 13, 15, and 16

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Roslyn Eubanks*

PK/JL

ITEM10/PZONE/TXTJWL



Maryland Department of Transportation  
State Highway Administration

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 011 (MSK)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

*Bob Small*  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2256 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 07/23/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: RICHARD HUFFMAN & ELIZABETH HUFFMAN

Location: E/S WINDING WAY, 1195' NE OF CENTERLINE SILVER SPRING RD.  
( 8650 WINDING WAY )

Item No.: 011

Zoning Agenda: SPECIAL HEARINGS

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.4 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Department of Permits & Development  
Management  
Date: July 22, 1996

FROM: Robert W. Bowling, Chief  
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting  
for July 22, 1996  
Item No. 011

The Development Plans Review Division has reviewed the subject zoning item. If the amendment is approved, the site will be subject to Baltimore County Development Regulations adopted February, 1992.

RWB:HJO:jrb

cc: File

ZONE19A



# PETITION PROBLEMS

## #10 --- JCM

1. No fee was charged for special hearing to amend the final development plan.

## #11 --- MJK

1. No telephone number for legal owner.

## #12 --- MJK

1. Petitioner's copy of receipt still in folder.

## #13 --- MJK

1. No undersized lot information in folder.

## #14 --- MJK

1. No undersized lot information in folder.

## #16 --- JRA

1. No review information on bottom of petition form.
2. No item number on any papers in folder.
3. Who signed for contract purchaser? - Need authorization.

July 16, 1996

RE: PETITION FOR SPECIAL HEARING  
8650 Winding Way, E/S Winding Way,  
1195' NE of C/L Silver Spring Road,  
11th Election District, 5th Councilmanic  
Richard and Elizabeth Huffman  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 97-12-SPH

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 837-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Michael P. Tanczyn, Esquire, 606 Baltimore Avenue, Suite 106, Towson, MD 21204, attorney for Petitioner.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

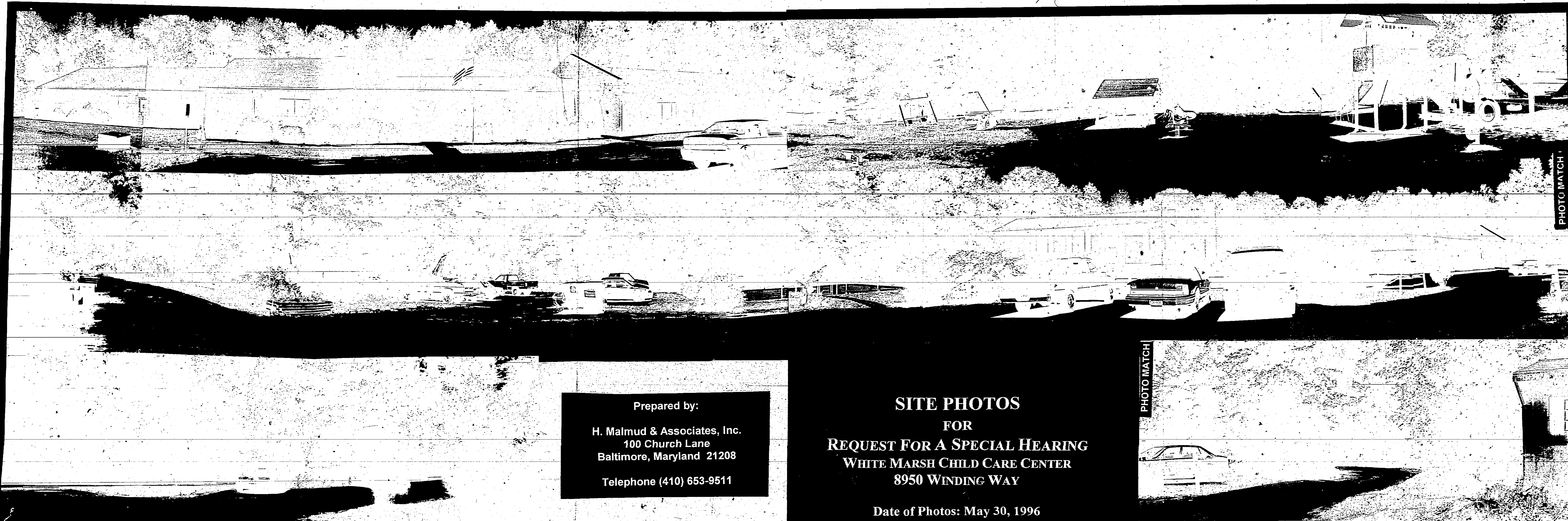
PLEASE PRINT CLEARLY

*Petitioner*  
SIGN-IN SHEET

NAME  
*Elizabeth (Beth) Huffman*  
HERB MALMUD  
Michael TANCZYN

ADDRESS  
*8650 Winding Way Rd 5432*  
100 CHURCH LANE Pikesville  
5432  
5432 606 BALTIMORE TOWSON MD 21204

3



Prepared by:

H. Malmud & Associates, Inc.  
100 Church Lane  
Baltimore, Maryland 21208  
Telephone (410) 653-9511

SITE PHOTOS  
FOR  
REQUEST FOR A SPECIAL HEARING  
WHITE MARSH CHILD CARE CENTER  
8950 WINDING WAY

Date of Photos: May 30, 1996

PHOTO MATCH

PHOTO MATCH



# NOTES

- PETITIONER & OWNER: RICHARD O. HUFFMAN, JR., ET UX  
DEED REFERENCE: LIBER 5668, FOLIO 561  
TAX MAP 72C, GRID 23, PARCEL 1111  
ACCOUNT No. 11-160000028C
- EXISTING ZONING: D.R. 5.5
- EXISTING USE: DAY CARE CENTER/NURSERY SCHOOL WITH ON SITE RESIDENCE AND AS A SHARED CHURCH USE.  
ZONING HEARING GRANTED: A. SPECIAL EXCEPTION FOR DAY CARE CENTER AND NURSERY SCHOOL CASE NO. 82-289-X ON SEPTEMBER 21, 1982; B. AMEND CASE NO. 82-289-X TO EXPAND IN CASE NO. 87-329-SPH ON FEBRUARY 13, 1987; C. AMEND 82-289-X AND 87-329-SPH IN CASE NO. 89-7-SPHA TO PERMIT A CHURCH TO SHARE DAY CARE/NURSERY SCHOOL FACILITIES, DENIED NOVEMBER 15, 1988 AND OVERTURNED BY BOARD OF APPEALS ON SEPTEMBER 7, 1989; D. AMEND AND EXPAND PREVIOUSLY APPROVED SPECIAL EXCEPTIONS AND SITE PLANS IN PRIOR CASES 82-289-X, 87-329-SPH AND 89-7-SPHA TO EXPAND IN CASE.
- THE PURPOSE OF THIS REQUEST IS TO ADD A NEW SINGLE FAMILY RESIDENCE FOR OWNER AND TO INCLUDE THE RECREATIONAL FACILITIES AND ADDITIONAL PARKING AND TO AMEND THE SPECIAL EXCEPTIONS PREVIOUSLY GRANTED.
- TOTAL AREA OF PROPERTY: 4.7 ACRES +/-
- PARKING SHOWN AS PER ZONING HEARING GRANTED (SEE NOTE 3)
- PUBLIC WATER AND SEWER SERVES THIS SITE.
- MINIMUM LOT SIZE FOR 160 CHILDREN:  
1 ACRE FOR 40 CHILDREN PLUS 500 S.F. OVER 40 PER CHILD: 160 MINUS 40 = 120 X 500 = 60,000 S.F.  
OR 1.4 AC + 1.0 = TOTAL REQUIRED: 2.4 ACRES.  
REMAINDER: 2.3 ACRES, PROPOSED HOUSE SITE: 0.8 ACRE.

D.R. 5.5

WINDING (40' R/W)

